

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Sep 22, 2021**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Christian Espindola

Case Number: 0980 4:20CR06022-SMJ-1

Address of Offender:

Pasco, Washington 99301

Name of Sentencing Judicial Officer: The Honorable Salvador Mendoza, Jr., U.S. District Judge

Date of Original Sentence: April 29, 2021

Original Offense: Use of a Communication Facility in the Commission of a Drug Felony, 21 U.S.C. § 843(b)

Original Sentence: Probation - 5 Years

Type of Supervision: Probation

Asst. U.S. Attorney: Timothy J. Ohms

Date Supervision Commenced: April 29, 2021

Defense Attorney: Alex B. Hernandez, III

Date Supervision Expires: April 28, 2026

PETITIONING THE COURT

To issue a summons.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1

Standard Condition # 3: You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the Court or the probation officer.**Supporting Evidence:** Mr. Espindola is considered to be in violation of his conditions of probation by leaving the Eastern District of Washington without permission on or about September 6, 2021.

Mr. Espindola's conditions of probation were reviewed with him on May 26, 2021. He acknowledged an understanding of his conditions of probation by signing a copy of his conditions, including standard condition number 3, as noted above.

On September 6, 2021, a voice mail message was received from Officer Brenner of the Molalla, Oregon, Police Department. Officer Brewer advised he had contacted Mr. Espindola around midnight as Mr. Espindola was intoxicated and in someone else's car. Officer Brenner also provided information that Mr. Espindola was in possession of a fake identification card from Texas, that he used for purchasing alcohol and getting into bars.

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The undersigned officer contacted Mr. Espindola by cellular telephone on September 17, 2021. During this telephone conversation, Mr. Espindola admitted to leaving the Eastern District of Washington without permission to attend a rodeo in Molalla, Oregon. Mr. Espindola also admitted to having a fake identification card used to purchase alcohol and get into bars, as well as consuming alcohol.

2 **Standard Condition #9:** If you are arrested or have any official contact with a law enforcement officer in a civil or criminal investigative capacity, you must notify the probation officer within 72 hours.

Supporting Evidence: Mr. Espindola is considered to be in violation of his conditions of probation by failing to report contact with law enforcement to his probation officer within 72 hours of contact of September 6, 2021

Mr. Espindola's conditions of probation were reviewed with him on May 26, 2021. He acknowledged an understanding of his conditions of probation by signing a copy of his conditions, including standard condition number 9, as noted above.

On September 6, 2021, a voice mail message was received from Officer Brenner of the Molalla, Oregon, Police Department. Officer Brewer advised he had contacted Mr. Espindola around midnight as Mr. Espindola was intoxicated and in someone else's car. Officer Brenner also provided information that Mr. Espindola was in possession of a fake identification card from Texas, that he used for purchasing alcohol and getting into bars.

The undersigned officer contacted Mr. Espindola by cellular telephone on September 17, 2021. During this telephone conversation, Mr. Espindola admitted to leaving the Eastern District of Washington without permission to attend a rodeo in Molalla, Oregon. Mr. Espindola also admitted to having a fake identification card used to purchase alcohol and get into bars, as well as consuming alcohol.

3 **Special Condition #4:** You must not enter into or remain in any establishment where alcohol is the primary item of sale. You must abstain from alcohol and must submit to urinalysis and Breathalyzer testing as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from this substance.

Supporting Evidence: Mr. Espindola is considered to be in violation of his conditions of probation by consuming alcohol on or about September 6, 2021.

Mr. Espindola's conditions of probation were reviewed with him on May 26, 2021. He acknowledged an understanding of his conditions of probation by signing a copy of his conditions, including special condition number 4, as noted above.

On September 6, 2021, a voice mail message was received from Officer Brenner of the Molalla, Oregon, Police Department. Officer Brewer advised he had contacted Mr. Espindola around midnight as Mr. Espindola was intoxicated and in someone else's car. Officer Brenner also provided information that Mr. Espindola was in possession of a fake identification card from Texas, that he used for purchasing alcohol and getting into bars.

The undersigned officer contacted Mr. Espindola by cellular telephone on September 17, 2021.

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During this telephone conversation Mr. Espindola admitted to leaving the Eastern District of Washington without permission to attend a rodeo in Molalla, Oregon. Mr. Espindola also admitted to having a fake identification card used to purchase alcohol and get into bars, as well as consuming alcohol.

4 **Special Condition #3:** You must abstain from the use of illegal controlled substance, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Espindola is considered to be in violation of his conditions of probation by failing to attend random drug testing at Merit Resource Services (Merit) on August 24, 2021; September 8, 2021; and September 14, 2021.

Mr. Espindola's conditions of probation were reviewed with him on May 26, 2021. He acknowledged an understanding of his conditions of probation by signing a copy of his conditions, including special condition number 3, as noted above.

Mr. Espindola was referred to Merit on April 29, 2021, to continue on the random drug testing hotline that he participated on while on pretrial services supervision. He was assigned the color gold, and directed to report to Merit when the color gold was called to provide a urine sample for drug testing purposes.

Notice was received from Merit on August 25, 2021, indicating the color gold was called on August 24, 2021, and Mr. Espindola did not report for a random drug test.

Merit provided notice on September 9, 2021, indicating Mr. Espindola was not present for his random urine test on September 8, 2021, when the color gold was called. Merit provided another notice on September 15, 2021, indicating the color gold was again called on September 14, 2021, and Mr. Espindola was not present for his random urine test.

Contact with Merit was made by telephone on September 17, 2021, and they verified Mr. Espindola was not in attendance for these random drug tests on the above-mentioned dates. Merit did advise Mr. Espindola did report to their office on September 10, 2021, as he realized he missed his random drug test on September 8, 2021. Merit advised this drug test returned negative for all substances.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegation(s) contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 09/21/2021

s/Daniel M. Manning

Daniel M. Manning
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

09/22/2021

Date